

## Arizona Medical Marijuana Program Frequently Asked Questions

### Qualifying Patient

**QP01: When can I apply for a qualifying patient card?**

Qualifying patients can begin applying for registry identification cards on April 14, 2011 on the [website](#).

**QP02: Do I need to apply for my qualified patient card on-line? Can I walk it in?**

No, ADHS will only accept applications submitted [online](#).

**QP03: How can I apply for a registry identification card to possess and use medical marijuana?**

A qualifying patient, who has been diagnosed with one of the [debilitating medical conditions](#) will need to get a written certification from a physician (medical doctor, osteopath, naturopath, or homeopath licensed to practice in Arizona) with whom he/she has a physician-patient relationship. The written certification has to be on a form provided by the Arizona Department of Health Services (Department) [within 90 days](#) before submitting an application for a registry identification card. After obtaining the written certification from the physician, the qualifying patient can apply online for a registry identification card, after April 14, 2011.

**QP04: Your website requires that I submit electronic copies of everything in PDF format. I don't know how to do that. How should I proceed?**

PDF is the Adobe Portable Document Format used to store documents and pictures digitally. Some computers and software can save documents in PDF format. If you are unable or unsure whether you can save documents in PDF format, some businesses offer the service of converting or saving your documents and will provide them on a CD or memory card. Consult your local telephone or internet listing directory.

**QP05: I can't afford the cost of a qualifying patient card. Is there a way to pay less?**

For a qualifying patient who is currently on the U.S. Department of Agriculture Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), the cost of a registry identification card is reduced from \$150 to \$75.

**QP06: If I am a SNAP participant, how do I show proof that I am receiving those benefits?**

If qualifying patients wish to apply for the reduced fee card, they must submit with their application a copy of an eligibility notice or electronic benefits transfer card that shows they are participating in the SNAP program with their application for a registry identification card.

**QP07: What medical conditions will qualify a patient for medical marijuana?**

- Cancer
- Glaucoma
- Human Immunodeficiency Virus (HIV)
- Acquired Immune Deficiency Syndrome (AIDS)
- Hepatitis C
- Amyotrophic Lateral Sclerosis (ALS)
- Crohn's disease
- Agitation of Alzheimer's disease
- A chronic or debilitating disease or medical condition or the treatment for a chronic or debilitating disease or medical condition that causes:
  - Cachexia or wasting syndrome;
  - Severe and chronic pain;
  - Severe nausea;
  - Seizures, including those characteristic of epilepsy;
  - Severe or persistent muscle spasms, including those characteristic of multiple sclerosis

**QP08: What if my medical condition is not listed?**

[State law](#) allows a person to request the addition of other conditions to the list of debilitating medical conditions.

**QP09: How can I request the addition of a medical condition to the list?**

In January and July of each calendar year, the Department will accept written requests to add a medical condition to the list of the debilitating medical conditions. The requirements for completing a request to add a medical condition include:

- The name of the medical condition or the treatment of the medical condition the individual is requesting be added;
- A description of the symptoms and how they make it hard to do daily living activities. The availability of conventional medical treatments to provide therapy or comfort for the condition;
- A summary of the evidence that marijuana will provide therapy or comfort for the medical condition; and
- Articles, published in peer-reviewed scientific journals, reporting research on the effects of marijuana on the medical condition or the treatment of the medical condition supporting why the medical condition or the treatment of the medical condition should be added.

**QP10: Who can write a medical marijuana certification for a patient?**

Allopathic (MD), Osteopathic (DO), Homeopathic [MD(H) or DO(H)], and Naturopathic [NMD or ND] [physicians](#) who have a physician-patient relationship with the patient may write certifications for medical marijuana. The physician must hold a valid Arizona license.

**QP11: Does the Department provide a list of physicians who will write a medical marijuana certification?**

No, the Department does not provide referrals to or recommendations for any physician.

**QP12: Does the certification from my doctor need to be on a specific form?**

Yes, the ADHS certification form must be filled out completely and signed and initialed by the physician providing the written certification.

**QP13: What if my doctor gave me a form that isn't in the ADHS format, can I submit that?**

No, ADHS will only accept the physician's certification on the ADHS form.

**QP14: What documentation do I need from the recommending physician to provide with my application?**

A qualifying patient is required to submit a written certification, filled out, signed, and dated by the recommending physician, on a form provided by the Department. On the form, the physician needs to specify the patient's debilitating medical condition and state that the patient is likely to receive therapy or comfort from marijuana for the debilitating medical condition or its symptoms.

**QP15: Is a licensed physician required to write medical marijuana certifications to a patient who has a chronic or debilitating condition?**

No, nothing in the statute requires a physician to write medical marijuana certifications for a patient.

**QP16: What if my doctor can't or won't write a certification for medical marijuana?**

The written certification given to a qualifying patient does not have to come from the physician diagnosing the qualifying patient's debilitating condition or from the qualifying patient primary care provider. The written certification can be obtained from a different physician whom the qualifying patient has consulted about the qualifying patient's medical use of marijuana.

The physician providing the written certification must state that the physician has made or confirmed the qualifying patient's debilitating condition and believes the qualifying patient is likely to receive therapy or comfort for the qualifying patient's medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition. In addition, the physician is required to state that the physician has undertaken specific activities that are part of establishing a physician-patient relationship.

**QP17: How long will it take for me to receive my registry identification card after I submit my application?**

After ADHS receives a **complete** application, ADHS will issue a registry identification card to the **patient** within 10 working days.

**QP18: How long will my registry identification card be good?**

The registry identification card will expire one year after the date it was issued. The qualifying patient must apply for renewal at least 30 days before the expiration date. If a patient's card must be replaced, the replacement card will have the same expiration

date as the card it is replacing.

**QP19: What happens if I lose my registry identification card or it is stolen?**

Just as the credit cardholder must notify the issuer of the credit card if it is lost or stolen, a qualifying patient, designated caregiver, or dispensary agent whose registry identification card is lost or stolen must notify the Department. The cardholder can apply at the Department's website for a replacement card. The cost of a replacement card is \$10.

**QP20: If I am a qualifying patient for medical marijuana, will you make my name available to everyone?**

No, according to [state law](#), the information that ADHS receives for the registry is confidential. It cannot be disclosed under the Arizona Open Records Law.

**QP21: How much marijuana can a qualifying patient possess?**

A qualifying patient may possess up to 2.5 ounces of [usable marijuana](#) or 12 marijuana plants.

**QP22: Where will a qualifying patient be able to smoke or consume medical marijuana?**

According to the Arizona Medical Marijuana Act, a qualifying patient may not consume medical marijuana [at a dispensary](#) but may eat medical marijuana in foods or use infused products at other locations. State law lists places where a qualifying patient may not smoke medical marijuana, including public places. A qualifying patient who lives in a nursing care institution, hospice, assisted living facility, or adult foster care home or who attends an adult day health care facility may also have to follow [restrictions](#) imposed by the facility.

**QP23: Can a qualifying patient drive while smoking marijuana?**

No, a qualifying patient [cannot drive](#) a motor vehicle while under the influence of marijuana.

**QP24: My workplace routinely tests for drugs including marijuana. If I'm a qualified patient, what kinds of protection do I have?**

The Arizona Medical Marijuana Act states that an employer will not be able to penalize a qualifying patient with a registry identification card for a positive drug test for marijuana, unless the patient used, possessed, or was impaired by marijuana on the employment premises or during hours of employment. If you are unsure how the Act applies to you, consult an attorney licensed to practice law in Arizona.

**QP25: Can I grow my own marijuana?**

According to [state law](#), a qualifying patient or the qualifying patient's caregiver may be allowed to grow marijuana only if a dispensary is not operating within twenty-five (25) miles of the qualifying patient's home. Since no dispensaries will be operating when the first qualifying patients obtain a registry identification card, all qualifying patients will be approved to cultivate if they request approval to cultivate.

**QP26: Can I grow marijuana outside?**

You can grow marijuana outside if you are authorized to cultivate marijuana and you comply with the [law](#), growing the marijuana in an [enclosed, locked facility](#): a closet, room, greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by a cardholder. "Enclosed area" is defined in rule as an outdoor space surrounded by solid 10-foot walls constructed of metal, concrete, or stone that prevent any viewing of the marijuana plants, with a one-inch-thick metal gate.

**QP27: How will I know if I am authorized to grow marijuana?**

A qualifying patient who is willing and able to cultivate marijuana for his/her use or wants to have a designated caregiver grow marijuana for the qualifying patient's use should indicate a desire to cultivate marijuana on the application. The Department will check to see if the qualifying patient's address is within a 25 mile radius of the nearest operating dispensary. If there is no dispensary within a 25 mile radius of the qualifying patient's home, the Department will issue the qualifying patient or the designated caregiver a registry identification card indicating authorization to grow marijuana.

If there is a dispensary within a 25 mile radius, the Department will send the qualifying patient a list of all dispensaries along with a registry identification card indicating that the qualifying patient is not authorized to grow marijuana. The registration identification card issued to the qualifying patient's designated caregiver would also indicate that the designated caregiver is not authorized to grow marijuana.

**QP28: If I am authorized to grow marijuana, can I also buy it at a dispensary?**

Authorization to cultivate marijuana does not prevent a qualifying patient from purchasing medical marijuana from a dispensary. The qualifying patient authorized to grow who purchases medical marijuana from a dispensary is still required to abide by the [limit of marijuana](#) the qualifying patient is allowed to have in his/her possession.

**QP29: How much marijuana can I buy?**

A qualifying patient or designated caregiver registered with ADHS will be able to obtain up to 2.5 ounces of marijuana in a 14-day period from a registered nonprofit medical marijuana dispensary.

**QP30: Where can I legally obtain marijuana if I am a qualifying patient?**

Qualifying patients can obtain medical marijuana from a dispensary, the qualifying patient's designated caregiver, another qualifying patient, or, if authorized to cultivate, from home cultivation.

**QP31: Does the Department provide a list of dispensaries? Will the Department provide a list of dispensaries after the dispensaries have been chosen?**

When a qualifying patient obtains or renews a registry identification card, the Department will provide a list of all operating dispensaries to the qualifying patient.

**QP32: Until a dispensary opens in my area, will I be able to grow marijuana?**

As long as a dispensary is not operating within 25 miles of a qualifying patient's home when he or she receives a registry identification card, that card or the registry identification card of the designated caregiver may indicate that marijuana may be grown for the qualifying patient's medical use.

**QP33: If I am authorized to grow marijuana and a new dispensary opens within 25 miles of my home, what happens?**

When a qualifying patient applies for renewal of the registry identification card, the Department will check to see if the qualifying patient's address is within a 25 mile radius of the nearest dispensary. If so, the Department will send the qualifying patient a list of all dispensaries along with a registry identification card indicating that the qualifying patient is not authorized to grow marijuana. The registry identification card issued to the qualifying patient's designated caregiver would also indicate that the designated caregiver is not authorized to grow marijuana. If there is no dispensary within a 25 mile radius of the qualifying patient's home, the Department will issue the qualifying patient or the designated caregiver a registry identification card indicating the authorization to grow marijuana.

**QP34: When I get a registry identification card, can I go to any dispensary or am I assigned to the nearest dispensary?**

Unlike other medical marijuana programs, a qualifying patient in Arizona is not assigned to a particular dispensary and may purchase medical marijuana at any dispensary. This will allow the qualifying patient to shop for a dispensary offering the best price, most convenient hours of operation, strains of marijuana meeting the qualifying patient's needs, other services the qualifying patient may want, or other factors important to the qualifying patient.

**QP35: If I don't want to designate a caregiver and I am unable to go to a dispensary to buy medical marijuana, can a dispensary deliver the medical marijuana to me?**

There is nothing in the statutes or rules that prevent a dispensary from delivering medical marijuana to a qualifying patient. However, the dispensary still has to comply with requirements for verification and recordkeeping specified in [state law](#) and rules. The dispensary also has to comply with restrictions imposed by cities or counties in local ordinances that may prevent the dispensary from delivering medical marijuana to qualifying patients.

**QP36: Will I have to pay tax on medical marijuana?**

A dispensary will owe state, county, and any applicable local retail transaction privilege tax (Arizona's version of sales tax) on receipts from its sales of medical marijuana and any other products it may sell to consumers. As with any retail business, the dispensary is allowed to pass the amount of the tax on to its customers. Note that there is no additional or special tax on medical marijuana at this time.

**QP37: How will I know if I'm getting medical marijuana?**

The rules require labels containing specific information about where the marijuana came

from, amount and strain, date of manufacture, a list of chemical additives, and other information to be attached to all products sold by dispensaries, including marijuana or products containing marijuana. The label on an edible product containing marijuana must also state the total weight of the product.

**QP38: Will the state be testing the marijuana dispensed in this program?**

ADHS will not test the marijuana, but the program requires that all marijuana dispensed has proper labeling with information about where the marijuana came from, the amount and strain, the date of manufacture, a list of chemical additives, and other information to be attached to all products sold by dispensaries, including marijuana or products containing marijuana. ADHS will also periodically inspect the dispensaries or cultivation sites to ensure the safe and proper handling of the marijuana.

**QP39: If I have a past conviction for possession or use of marijuana, can I still get a qualifying patient registry identification card?**

Yes, Arizona residents who have a written certification from Arizona physicians can obtain qualifying patient registry identification cards. State law requires background checks for prior "[excluded felony offenses](#)" designated caregivers and dispensary agents.

**QP40: If I am visiting Arizona from another state from which I have obtained a medical marijuana card, can I legally possess marijuana? May I buy marijuana from a dispensary?**

[State law](#) allows a visiting qualifying patient with a registry identification card or its equivalent, issued by the qualifying patient's home state, to possess or use marijuana. However, a visiting patient is not authorized to obtain marijuana from a dispensary because the dispensary is required in [statute](#) to access a verification system before dispensing marijuana.

**QP41: Can I hold a medical marijuana card for more than one state?**

A qualifying patient must show Arizona residency by providing the Department with a copy of the qualifying patient's Arizona driver's license, Arizona identification card, Arizona registry identification card, or photograph page in the qualifying patient's passport. The qualifying patient must also obtain a written certification from an Arizona physician. If a qualifying patient can comply with these requirements, the qualifying patient may obtain an Arizona registry identification card, regardless of whether the qualifying patient also has a medical marijuana card from another state.

**QP42: Do I have to have a caregiver?**

No, a qualifying patient does not need to designate a caregiver; however, a patient may want help with the medical use of marijuana.

**QP43: Who can be my designated caregiver?**

The [designated caregiver](#) can be anyone over 21-years-old who does not have an excluded felony offense and agrees to assist the qualifying patient with the medical use of marijuana. A designated caregiver does not have to be a home health aide or other



professional caregiver.

**QP44: How many caregivers may I have?**

A qualifying patient may designate only one person at a time to assist with the use of medical marijuana. This designation does not affect the ability of the qualifying patient to use other caregivers with the administration of other medications, activities of daily living, home health care, or other tasks.

**QP45: How much will it cost to apply for a registry identification card or a dispensary registration certificate?**

The fees are listed in rules and include:

- \$150 for an initial or a renewal registry identification card for a qualifying patient. Some qualifying patients may be eligible to pay \$75 for initial and renewal cards if they currently participate in the Supplemental Nutrition Assistance Program.
- \$200 for an initial or a renewal registry identification card for a designated caregiver. A caregiver must apply for a new card for every patient under their care (up to five patients).
- \$500 for an initial or a renewal registry identification card for a dispensary agent.
- \$5,000 for an initial dispensary registration certificate.
- \$1,000 for a renewal dispensary registration certificate.
- \$2,500 to change the location of a dispensary or cultivation facility.
- \$10 to amend, change, or replace a registry identification card.

**QP46: My doctor doesn't believe in medical marijuana and will not prescribe it for any of his patients, what do I do? How do I find a doctor who will?**

The Arizona Department of Health Services does not offer advice about choosing a healthcare professional.

**QP47: I would like a list of all of the physicians who are providing Medical Marijuana certificates to qualifying patients?**

The Department cannot provide you with a list of physicians who are providing Medical Marijuana certificates to qualifying patients. The Arizona Medical Marijuana Act, A.R.S. § 36-2810 (A.), states that **information received and records kept** by the Department for the purposes of administering the Act, including **information** submitted by qualifying patients **regarding their physicians**, are confidential.